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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	THOMAS	Examiner:	J. FREDMAN
Serial No.:	09/603,448	Group Art Unit:	1655
Filed:	JUNE 26, 2000	Docket No.:	10552.26US01
Title:	COMPOSITION AND METHOD FOR DETECTING MUTAGENS		

CERTIFICATE UNDER 37 CFR 1.10

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I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

By:

John J. Jankers

AMENDMENT AND RESPONSE

TECH CENTER 1600/2900

OCT 25 2002

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Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action of April 18, 2002, please enter this amendment and consider the following remarks for the patent application identified above.

In the Claims

Please cancel claims 17, 18, 25-27, and 57 without prejudice.

Please amend claims 1, 19, and 56 as follows.

1. (Twice Amended) A method of determining a mutagen comprising:
contacting a test compound with a host cell comprising a DNA sequence encoding a fluorescent protein operably linked to a mutagen sensitive gene, the host cell being in stationary growth phase;
monitoring a host cell preparation for the fluorescent protein; and
determining a mutagen when an amount of the fluorescent protein meets or exceeds a predetermined threshold value, wherein determining further comprises statistically analyzing a